

JACOBS & BARBONE, P.A.
A Professional Corporation
Attorneys at Law
1125 Pacific Avenue
Atlantic City, New Jersey 08401
(609) 348-1125
jacobsbarbone@comcast.net
Attorneys for Plaintiffs

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY
CAMDEN VICINAGE

VERNON W. HILL, II, SHIRLEY HILL and
INTERARCH, INC.,

Plaintiffs

v.

COMMERCE BANCORP, LLC and TD
BANK, N.A.,

Defendants.

Civil Action No. 1:09-cv-03685(RBK-JS)

Civil Action

**PLAINTIFFS' NOTICE OF MOTION ON
APPEAL FROM THE MAGISTRATE'S
ORDER OVERRULING OBJECTIONS
TO CERTAIN TRIAL WITNESSES AND
EXHIBITS PURSUANT TO LOCAL CIVIL
RULE 72.1(a)(1).**

TO: William M. Tambussi, Esquire
Susan M. Leming, Esquire
Brown & Connery, LLP
360 Haddon Ave., PO Box 539
Westmont, N.J. 08108
Attorneys for Defendants

PLEASE TAKE NOTICE Plaintiffs shall move by and through counsel, namely Louis M. Barbone, Esquire, of the law firm of Jacobs & Barbone, P.A., upon due notice to and in the presence of William M. Tambussi, Esquire of the law firm of Brown & Connery, LLP, attorneys for Defendants, before the Honorable Robert B. Kugler, U.S.D.J., at the United States District Court, Mitchell H. Cohen US Courthouse, One John F. Gerry Plaza, Camden, New Jersey, on a date and time to be set by the Court, for an Order reversing the Magistrate's Order permitting the testimony of certain defense witnesses and exhibits as set forth in the Magistrate's Order of July 11, 2012 (Doc. #364), as being contrary to law pursuant to Federal Civil Procedure 72(a).

Plaintiffs rely upon the attached Brief and Affidavit of counsel, along with exhibits attached thereto.

Jacobs & Barbone, P.A.

By: /s/ Louis M. Barbone
Louis M. Barbone, Esquire

Dated: July 14, 2012